

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

ABBOTT LABORATORIES, an Illinois corporation, FOURNIER INDUSTRIE ET SANTÉ, a French corporation, and LABORATOIRES FOURNIER S.A., a French corporation,

Plaintiffs,

v.

TEVA PHARMACEUTICALS USA, Inc.,  
a Delaware corporation,

Defendant.

Civil Action No. 02-1512 (KAJ)  
(consolidated)

TEVA PHARMACEUTICALS USA, Inc.,  
a Delaware corporation, and TEVA  
PHARMACEUTICAL INDUSTRIES LTD.,  
an Israeli corporation,

Counterclaim Plaintiffs,

v.

ABBOTT LABORATORIES, an Illinois corporation, FOURNIER INDUSTRIE ET SANTÉ, a French corporation, and LABORATOIRES FOURNIER, S.A., a French corporation,

Counterclaim Defendants.

ABBOTT LABORATORIES, an Illinois corporation, FOURNIER INDUSTRIE ET SANTÉ, a French corporation, and LABORATOIRES FOURNIER S.A., a French corporation,

Plaintiffs,

v.

IMPAX LABORATORIES, INC,  
a Delaware corporation,

Defendant.

Civil Action No.: 03-120-KAJ  
(Consolidated)

IMPAX LABORATORIES, INC,  
a Delaware corporation,

Counterclaim Plaintiffs,

v.

ABBOTT LABORATORIES, an Illinois corporation, FOURNIER INDUSTRIE ET SANTÉ, a French corporation, and LABORATOIRES FOURNIER, S.A., a French corporation,

Counterclaim Defendants.

IN RE TRICOR DIRECT PURCHASER ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Civil Action No. 05-340 (KAJ)

(consolidated)

IN RE TRICOR INDIRECT PURCHASER ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Civil Action No. 05-360 (KAJ)

(consolidated)

### **STIPULATION AND ORDER**

The parties, through their respective attorneys and subject to order of the Court, agree that Abbott Laboratories ("Abbott"), Fournier Industrie Et Santé, and Laboratoires Fournier, S.A. (collectively "Fournier") may submit a consolidated reply brief in support of their consolidated motion to dismiss under Fed. R. Civ. P. 12(b)(6) not to exceed 40 pages on or before December 22, 2005.

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SO ORDERED this \_\_\_\_\_ day of December, 2005.

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U.S.D.J.